

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

MELVIN LEE LEWIS,  
Institutional ID No. 107265,

Plaintiff,

V.

TAYLOR COUNTY SHERIFF'S  
DEPARTMENT, *et al.*,

Defendants.

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CIVIL ACTION NO.  
1:18-CV-00209-C

**ORDER**

Plaintiff, proceeding *pro se* and *in forma pauperis*, filed a civil rights complaint on December 28, 2018. By Order dated January 11, 2019, this case was transferred to the docket of the United States Magistrate Judge for screening pursuant to 28 U.S.C. §§ 1915 and 1915A. The United States Magistrate Judge entered a Report and Recommendation on April 25, 2019, recommending that the instant complaint be dismissed without prejudice for failure to prosecute or to comply with an order of the Court pursuant to Fed. R. Civ. P. 41(b). No objections have been filed, and the Report and Recommendation that was mailed to Plaintiff at his last known address was returned to the Clerk as undeliverable on May 20, 2019.

The Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge.

It is, therefore, ORDERED:

- (1) Plaintiff's complaint and all claims alleged therein are dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).
- (2) Any pending motions are denied.

Plaintiff is admonished that if he re-files his civil rights complaint, he must either pay the full filing fee of \$400.00 or file an application to proceed *in forma pauperis* and a certificate of his inmate trust account.

Judgment shall be entered accordingly.

Dated May 21<sup>st</sup>, 2019.



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SAM R. CUMMINGS  
Senior United States District Judge